

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION AT MEMPHIS

RICHARD HAYESLIP,

PLAINTIFF,

VS.

NO. \_\_\_\_\_

MERCURY PRINTING, LLC and  
CONSOLIDATED GRAPHIC SERVICES, INC.

DEFENDANTS.

COMPLAINT

COMES NOW, the plaintiff, Richard Hayeslip, and files this Complaint against the defendants, Mercury Printing, LLC and Consolidated Graphic Services, Inc. and for this cause of action will state as follows:

1. Plaintiff, Richard Hayeslip, is an adult resident citizen of Olive Branch, DeSoto County, Mississippi.
2. Defendant, Mercury Printing, LLC, is a Tennessee limited liability company doing business at 5650 Shelby Air Drive, Memphis, Tennessee 38118. This Defendant has appointed Capitol Corporate Services, Inc. of 992 Davidson Drive, Suite B, Nashville, Tennessee 37205 as its' registered agent for service of process.
3. Defendant, Consolidated Graphic Services, Inc. is a foreign corporation doing business in the State of Tennessee with its' last known address being 5858 West Heimert, Suite 200, Houston, Texas 77057. This Defendant has appointed Capitol Corporate Services, Inc. of 992 Davidson Drive, Suite B, Nashville, Tennessee 37205 as its' registered agent for service of

process.

4. This cause of action accrued in Memphis, Shelby County, Tennessee as a result of violations of federal law.

### FACTS

5. On or about June 17, 2010, during shift change, Defendant Mercury Printing, LLC's employee, Ralph Smith, stated to another employee of Defendant Mercury Printing, LLC, namely: Earl Lucas, who is a black male, "Do you know why there are no black people on The Flintstones?" Mr. Lucas responded "No". Mr. Smith replied "There were no monkeys around back then". This comment was made by Mr. Smith in the company of this Defendant's employees, Joey Clark and Plaintiff.

6. On or about June 18, 2010, Plaintiff complained about the remark to Defendant Mercury Printing, LLC's night shift Plant Manager, Jeff Bailey.

7. On June 21, 2010, Defendant Mercury Printing, LLC's President, Kevin Davis, contacted Plaintiff and informed to Plaintiff "Shut your mouth and do your job or I will have to let you go".

8. On July 16, 2010, Plaintiff was terminated by Kevin Davis.

9. Defendant, Mercury Printing, LLC is owned by Consolidated Graphic Services, Inc. and all facts and/or admissions of any of Defendant Mercury Printing, LLC's employees are thereby imputed to Defendant Consolidated Graphic Services, Inc.

10. Plaintiff filed a Charge of Discrimination against Defendant Mercury Printing, LLC. on September 3, 2010 at the Memphis District Office of the U.S. Equal Employment Opportunity Commission.

11. Plaintiff received a copy of the Dismissal and Notice of Rights dated

on January 25, 2011 giving rights for Plaintiff to sue Defendants herein.

### CAUSES OF ACTION

12. Plaintiff sues Defendants for retaliatory discharge in violation of Title VII of the Civil Rights Act of 1964.

13. Plaintiff also alleges violations of Title 42 U.S.C. as well as Title 29 U.S.C.

14. Plaintiff has been damaged by the acts and/or omissions by the Defendants.

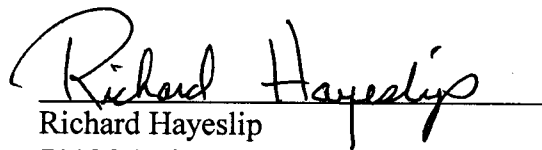
### DAMAGES SOUGHT

15. Plaintiff demands judgment of, from and against Defendants, including attorneys fees for all relief available under Federal law.

WHEREFORE PREMISES CONSIDERED, Plaintiff, Richard Hayeslip, hereby sues Mercury Printing, LLC and Consolidated Graphic Services, Inc. for damages to be determined by this Honorable Court pursuant to law.

Dated this the 25<sup>th</sup> day of April, 2011.

Respectfully submitted,

  
Richard Hayeslip  
7118 Maplewood  
Olive Branch, MS 38654  
901-591-0452